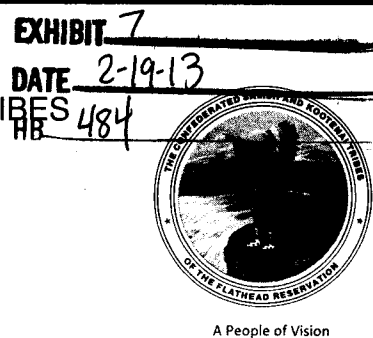


A Confederation of the Salish,
Pend d' Oreilles
and Kootenai Tribes

THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD NATION

P.O. BOX 278
Pablo, Montana 59855
(406) 275-2700
FAX (406) 275-2806
www.cskt.org



TRIBAL COUNCIL MEMBERS:

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Carole Lankford - Vice Chair
Reuben A. Mathias - Secretary
Ron Trahan - Treasurer
Leonard W. Gray
Lloyd D. Irvine
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James Bing Matt
Terry Pitts

February 19, 2013

Montana State House of Representatives
House Agriculture Committee
Hon. Lee Randall, Chairman
63rd Montana State Legislature
Capital Building
Helena, Montana

RE: House Bill No. 484 "An Act Clarifying the Duties and Responsibilities of the Department of Livestock and the Department of Fish, Wildlife, and Parks For Managing Wild Buffalo or Wild Bison, etc."

Chairman Randall and Committee Members:

The Confederated Salish and Kootenai Tribes (CSKT or Tribes) strongly oppose the passage of HB 484, a bill that would significantly alter the status and management of Yellowstone Bison in Montana. Passage of HB 484 would virtually remove the wild bison from their migratory homelands in Montana and would end a multi-government effort to return wild bison to their rightful place in the Montana ecosystem.

It is an understatement to say that bison, or buffalo, have played a profound role in our history, as they have for all Montana tribes. The buffalo remains a key component of our culture today, and preserves a connection to tribal traditions that date back for uncounted generations.

Our interest in this bill stems from the CSKT's unique status. When we signed the Hellgate Treaty in 1855 (12 Stat. 975) the Tribes reserved the right to hunt and fish in usual and accustomed places in our aboriginal territory – a right that includes hunting buffalo in the Greater Yellowstone Area. Our tribal members have a long history of hunting buffalo, and we continue to rely on their meat, hides, and other parts to sustain us physically and spiritually. Passage of HB 484 would significantly hinder our ability to keep the buffalo as part of our diet

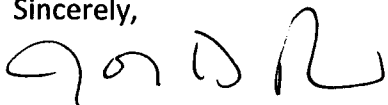
and culture, and destroy our hope of seeing the last remaining wild buffalo herd play a role in the lives of CSKT tribal members for generations yet to come.

The CSKT oppose this bill as an overreaction to the perceived threat that wild bison pose in Montana. Essentially, HB 484 would implement a zero tolerance policy for wild bison in Montana, requiring that the Department of Livestock immediately slaughter, haze, or otherwise remove all bison that migrate into Montana from Yellowstone National Park. Further, HB 484 designates the Department of Livestock as the primary bison management agency, and with very narrow exceptions, seeks to designate nearly all bison in Montana as livestock. The passage of HB 484 would also significantly hinder the restoration of wild, disease-free Yellowstone bison to other Montana landscapes. As proposed, HB 484 is a harsh remedy for a problem that is currently being managed. Bison and cattle can, and do, coexist in Montana under current laws and regulations. Implementing the overbroad measures of HB 484 would most certainly create an adversarial atmosphere between the Tribes and the State of Montana.

Should HB 484 be enacted into law, it would end the intergovernmental partnership that has developed between the Tribes and the State, and would very likely result in lengthy and expensive litigation over the future of bison in Montana. We value the relationship that has been forged between the treaty-hunt tribes and the State of Montana. Our bison management goals have been based on a mutual commitment to a biologically sustainable hunt and a desire to see bison respected as a valued game species. We participate in yearly tribal-state intergovernmental hunt management meetings focused on coordinating bison harvest, hunter safety, regulatory enforcement, and the long term viability of the herd. The CSKT is also a full partner in the Interagency Bison Management Plan (IBMP). While acknowledging its limitations, the Tribes submit that the IBMP has been successful in fulfilling its twin goals of increased bison tolerance in Montana and maintenance of the state's brucellosis-free status. Undoubtedly bison management is a complex issue, but it is important to note that there has never been a documented bison-to-cattle transmission of brucellosis while the IBMP has been in place. Moreover, as long as the elk population of the Greater Yellowstone Area carries the disease, brucellosis will remain in that environment. With the recent modifications to federal regulation, the threat of Montana losing its brucellosis-free status has been greatly reduced.

The Confederated Salish and Kootenai Tribes are prepared to continue our treaty hunt, as well as our good working relationship with the State of Montana, and hope to continue co-managing this public resource for the good of both tribal and state citizens. The Tribes respectfully urge this committee to vote NO on House Bill No. 484.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Durglo". The signature is stylized with a large, looped "J" and a cursive "Durglo".

Joe Durglo, Chairman

Confederated Salish and Kootenai Tribal Council